

EXHIBIT A

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CAMPUS

Mel Tucker won't participate in sexual harassment hearing; attorney claims new evidence

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LANSING — Former Michigan State football coach Mel Tucker's attorney told university leaders Thursday he was unable to participate in a key hearing over sexual harassment allegations because of a "serious medical condition."

His attorney, Jennifer Belveal, in the letter to President Teresa Woodruff and the Board of Trustees also said her firm had uncovered new evidence including text messages from Tucker's accuser that "undermines MSU's decision to terminate Mr. Tucker, and further confirms that the underlying "investigation" failed to meet minimal due diligence standards — at Mr. Tucker's expense."

The hearing, set to begin today before Virginia-based attorney Amanda Norris Ames, is a pivotal moment in the campus disciplinary proceeding involving Tucker, who was fired last week after USA TODAY reported details of an investigation by the university's Title IX office.

He is accused by Brenda Tracy, a prominent national rape survivor and activist. Tracy alleges Tucker pursued her romantically for months after hiring her to speak to his players about sexual violence. His pursuit culminated in an April 2022 phone call, during which her complaint says he made sexual comments and masturbated without her consent. Tucker has said he and Tracy had a romantic relationship and that the call was consensual phone sex.

Tucker has not revealed his health condition publicly. As the school began the process to fire him last month, Tucker responded with the threat of a lawsuit and noted he had asked Athletic Director Alan Haller for a "medical leave under the Family and Medical Leave Act for a serious health condition."

Belveal argues that Tracy's text messages with her friend Ahlan Alvarado, who has since died, show she had a personal relationship with Tucker that was consensual at the same time she

had a similar relationship with at least one other married athletic coach. Belveal's letter also alleges a new witness has come forward to say that the phone sex was consensual and that Tracy attempted to manipulate MSU for her own financial benefit.

"We detail some of this new evidence below, although it is too voluminous to capture in a single letter. (We have received approximately 20,000 new communications or documents involving Ms. Tracy.)," Belveal wrote. "This evidence completely contradicts Ms. Tracy's claims and suggest that she manipulated a key witness, the University, Mr. Tucker, and the public. You should know that Ms. Tracy allegedly deleted key evidence and provided only self-serving excerpts to OIE to sustain a claim of 'harassment' that MSU never should have been investigating in the first place. Ms. Tracy pulled the wool over the University's eyes, and maligned Mr. Tucker's reputation for personal gain."

Alvarado, Tracy's longtime friend and booking assistant, provided MSU's investigator with emails and text messages that corroborated aspects of Tracy's version of events and refuted aspects of Tucker's. She was killed in a car crash in June.

Tucker was initially suspended without pay but was subsequently fired with about \$80 million remaining on a 10-year, \$95 million contract.

MSU spokesman Dan Olsen said the university would not comment on the latest allegations from Tucker to preserve the integrity of the ongoing case.

Belveal told the university Tracy's text messages with Alvarado show she had a "consensual relationship with basketball coach Damon Stoudamire — saying she was 'dating' him and had a 'good thing with Damon,'" while she was also in a relationship with Tucker.

Tracy, according to Belveal, had been hired to speak to Stoudamire's team about preventing sexual violence. Stoudamire coached at Pacific University from 2016 to 2021; he is now the head coach at Georgia Tech, after serving as an assistant for the Boston Celtics for nearly two seasons.

"To be sure, Ms. Tracy had previously worked with Mr. Stoudamire — and even remarked to Ms. Alvarado that 'Damon had 2 reasons for bringing me to speak to his college team.'"

The following text messages, which Belveal referred to as illustrative, were included in her letter to MSU:

"Ms. Tracy: I haven't even heard from Damon since Monday. . . .

"Ms. Alvarado: He'll pop up.

"Ms. Tracy: For sure. He's not going nowhere. Lol. He was supposed to find time to see me before the 20th. . . .

"Ms. Tracy: Coach Tucker told me he loved me last night. It wasn't weird tho. He made sure I knew it was about being a friend.

"Ms. Alvarado: In other news lol. Coach Tucker isn't going anywhere either.

"Ms. Tracy: Def not lol. He went to some retreat for his birthday. Came back all zen. He's one of those – in another life. . . . I guess they talked about trauma and he said he thought about me and how amazing it is that i can speak about mine. He said I'm a brilliant human and too special for this world. Damon is so cute in his tight shirt and pants lol. I like seeing him on tv.

"This exchange reflects that in one breath Ms. Tracy enjoyed Mr. Tucker's attention, and literally in the next breath that she objectifies Damon as 'cute' in tight clothing," Belveal wrote. "Not only does this contradict Ms. Tracy's allegations that Mr. Tucker's attention caused her distress, it also decimates Ms. Tracy's claim that she would not consensually engage in a personal relationship with a coach."

Belveal also included text messages from Tracy to Alvarado that she claims included pictures that show the view from Stoudamire's living room, including the words:

"[h]e chose the flight that gets me there the earliest for us to spend more time together," that "[h]is place is so nice (emoji)," and that she "could get used to this lifestyle."

Tracy adds in a text: "[w]atching the DJ at halftime. Thank God I graduated to a coach on the bench LOL."

Belveal also included text messages that she said refutes Tracy's statements to investigators that she would not accept gifts from Tucker after knowing he was romantically interested in her. She claimed Tracy texted Alvarado that "Michigan state might be going to the Rose Bowl or one of the other major ones. We should check this calendar and keep dates open. I know coach Tucker would give us tickets[.]

"Tucker signed his contract. I cant [sic] even wrap my brain around 95 million. Sheesh . . . Can you imagine around 700k going into your bank account every month. Every month . . . We're gonna make it happen . . . I'm gonna ask him to finance the doc part of it [marketing materials that Ms. Tracy wanted for her non-profit organization]. . . . He'll do it."

Belveal also alleges Tracy tried to financially gain from her complaint.

"We also now know from Ms. Tracy's own messages that she used MSU's 'investigation' process because she was motivated by money, despite that she has claimed that she 'has not mentioned money a single time in connection with [this matter].' Among other things, Ms. Tracy's messages reveal that she was initially hoping for a quick settlement with Mr. Tucker, telling Ms. Alvarado: 'I'm filing a formal complaint with MSU... [My lawyer] said after that we can let him know that we want to come to an agreement then it doesn't have to go to a hearing or anything unless he wants it to.'

"She told Ms. Alvarado that her attorney was reaching out to MSU regarding a settlement and that 'Money is my only recourse to make him feel like there is a punishment[.] . . . When they do the money I should make him pay me 10k directly[.]'"

Additional text messages also show about a week before she filed the December complaint against Tucker, "She was down to \$5," and that she was having problems with the IRS. Noting that she "was supposed to be paying down 2018 taxes and not staying caught up on the other years," Tracy said in a text to Alvarado that "[h]aving the IRS after me in a way that is known publicly surely won't help my lawsuit."

Belveal criticized the investigation by MSU as "misguided, incomplete, and biased" and wrote that "Ms. Tracy's misrepresentations and manipulation would have come to light months ago. And crucially, OIE would have (or at least should have) halted this investigation once and for all.

"This certainly is not a proud moment in Spartan history, and it continues to cast a post-Nassar shadow on an institution that I, as an alumna, hold to a higher standard. Please contact me directly if you would like to further discuss the information that the OIE investigation failed to uncover."